

Senate File 485 - Enrolled

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1 1 SENATE FILE 485
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1 3 AN ACT
1 4 RELATING TO GREENHOUSE GAS EMISSIONS.
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1 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 8 Section 1. Section 455B.131, Code 2007, is amended by
1 9 adding the following new subsection:
1 10 NEW SUBSECTION. 6A. "Greenhouse gas" means carbon
1 11 dioxide, methane, nitrous oxide, hydrofluorocarbons,
1 12 perfluorocarbons, and sulfur hexafluoride.
1 13 Sec. 2. Section 455B.134, subsection 3, paragraph d, Code
1 14 2007, is amended to read as follows:
1 15 d. (1) All applications for conditional permits for
1 16 electric power generating facilities shall be subject to such
1 17 notice and opportunity for public participation as may be
1 18 consistent with chapter 476A or any agreement pursuant thereto
1 19 under chapter 28E. The applicant or intervenor may appeal to
1 20 the commission from the denial of a conditional permit or any
1 21 of its conditions. For the purposes of chapter 476A, the
1 22 issuance or denial of a conditional permit by the director or
1 23 by the commission upon appeal shall be a determination that
1 24 the electric power generating facility does or does not meet
1 25 the permit and licensing requirements of the commission. The
1 26 issuance of a conditional permit shall not relieve the
1 27 applicant of the responsibility to submit final and detailed
1 28 construction plans and drawings and an application for a
1 29 construction permit for control equipment that will meet the
1 30 emission limitations established in the conditional permit.
1 31 (2) In applications for conditional permits for electric
1 32 power generating facilities the applicant shall quantify the
1 33 potential to emit greenhouse gas emissions due to the proposed
1 34 project.
1 35 Sec. 3. Section 455B.134, subsection 3, Code 2007, is
2 1 amended by adding the following new paragraph:
2 2 NEW PARAGRAPH. g. All applications for construction
2 3 permits or prevention of significant deterioration permits
2 4 shall quantify the potential to emit greenhouse gas emissions
2 5 due to the proposed project.
2 6 Sec. 4. NEW SECTION. 455B.152 GREENHOUSE GAS INVENTORY
2 7 AND REGISTRY.
2 8 1. DEFINITIONS. For purposes of this section, "greenhouse
2 9 gas" means carbon dioxide, methane, nitrous oxide,
2 10 hydrofluorocarbons, perfluorocarbons, or sulphur hexafluoride.
2 11 2. GREENHOUSE GAS INVENTORY.
2 12 a. By January 1, 2008, the department shall establish a
2 13 method for collecting data from producers of greenhouse gases
2 14 regarding generated greenhouse gases. The data collection
2 15 method shall provide for mandatory reporting to collect

2 16 information from affected entities individually and shall
2 17 include information regarding the amount and type of
2 18 greenhouse gases generated, the type of source, and other
2 19 information deemed relevant by the department in developing a
2 20 baseline measure of greenhouse gases produced in the state.
2 21 b. The department may allow a series of reporting
2 22 requirements to be phased in over a period of time and may
2 23 provide for phasing in by producer sector, geographic area,
2 24 size of producer, or other factors. The reporting
2 25 requirements shall apply to the departments, agencies, boards,
2 26 and commissions of the state, in addition to any other
2 27 entities subject to the reporting requirements established by
2 28 the department.
2 29 3. GREENHOUSE GAS REGISTRY.
2 30 a. The department shall establish a voluntary greenhouse
2 31 gas registry for purposes of cooperating with other states in
2 32 tracking, managing, and crediting entities in the state that
2 33 reduce their generation of greenhouse gases or that provide
2 34 increased energy efficiency.
2 35 b. The department shall develop a mechanism to coordinate
3 1 the information obtained in the greenhouse gas inventory with
3 2 the greenhouse gas registry.
3 3 4. AVAILABILITY. By January 1, 2009, the greenhouse gas
3 4 registry shall be made available on an internet website.
3 5 Sec. 5. NEW SECTION. 455B.851 IOWA CLIMATE CHANGE
3 6 ADVISORY COUNCIL.
3 7 1. The department shall create an Iowa climate change
3 8 advisory council consisting of twenty=three voting members
3 9 serving three=year staggered terms and four nonvoting, ex
3 10 officio members.
3 11 2. a. The voting members shall be appointed by the
3 12 governor and shall represent the following:
3 13 (1) The university of Iowa center for global and regional
3 14 environmental research.
3 15 (2) The university of northern Iowa center for energy and
3 16 environmental education.
3 17 (3) The Iowa farm bureau.
3 18 (4) The Iowa public transit association.
3 19 (5) Rural electric cooperatives.
3 20 (6) Investor=owned utilities.
3 21 (7) Municipal utilities.
3 22 (8) The Iowa utilities board.
3 23 (9) One association with environmental interests or
3 24 activities.
3 25 (10) One association with conservation interests or
3 26 activities.
3 27 (11) The international brotherhood of electrical workers.
3 28 (12) The Iowa association of business and industry.
3 29 (13) The Iowa energy center.
3 30 (14) The Iowa renewable fuels association.
3 31 (15) The office of consumer advocate of the department of
3 32 justice.
3 33 (16) A representative from local government.
3 34 (17) The director of the office of energy independence.
3 35 (18) A manufacturer of equipment used for alternative
4 1 energy production.
4 2 (19) The department of agronomy at Iowa state university

4 3 of science and technology.
4 4 (20) Four members of the general public.
4 5 b. The four nonvoting, ex officio members shall consist of
4 6 four members of the general assembly, two from the senate and
4 7 two from the house of representatives, with not more than one
4 8 member from each chamber being from the same political party.
4 9 The two senators shall be designated by the majority leader of
4 10 the senate after consultation with the president and the
4 11 minority leader of the senate. The two representatives shall
4 12 be designated by the speaker of the house of representatives
4 13 after consultation with the majority and minority leaders of
4 14 the house of representatives.
4 15 3. Voting members of the council shall serve at the
4 16 pleasure of the governor and shall serve without compensation.
4 17 4. The chairperson of the council shall be designated by
4 18 the governor and may convene the council at any time.
4 19 5. A vacancy in the membership shall not impair the right
4 20 of a quorum to exercise all the rights and perform all the
4 21 duties of the council. A majority of the council members then
4 22 appointed constitutes a quorum. A majority vote of the quorum
4 23 is required for council action.
4 24 6. The department shall provide necessary staff assistance
4 25 to the council.
4 26 7. After consideration of a full range of policies and
4 27 strategies, including the cost=effectiveness of the
4 28 strategies, the council shall develop multiple scenarios
4 29 designed to reduce statewide greenhouse gas emissions
4 30 including one scenario that would reduce such emissions by
4 31 fifty percent by 2050. The council shall also develop
4 32 short=term, medium=term, and long=term scenarios designed to
4 33 reduce statewide greenhouse gas emissions and shall consider
4 34 the cost=effectiveness of the scenarios. The council shall
4 35 establish a baseline year for purposes of calculating
5 1 reductions in statewide greenhouse gas emissions. The council
5 2 shall submit the proposal to the governor and the general
5 3 assembly by January 1, 2008.
5 4 8. The council may periodically adopt recommendations
5 5 designed to encourage the reduction of statewide greenhouse
5 6 gas emissions.
5 7 9. By September 1 of each year, the department shall
5 8 submit a report to the governor and the general assembly
5 9 regarding the greenhouse gas emissions in the state during the
5 10 previous calendar year and forecasting trends in such
5 11 emissions. The first submission by the department shall be
5 12 filed by September 1, 2008, for the calendar year beginning
5 13 January 1, 2007.
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JOHN P. KIBBIE
President of the Senate

PATRICK J. MURPHY
Speaker of the House

I hereby certify that this bill originated in the Senate and

5 25 is known as Senate File 485, Eighty-second General Assembly.

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MICHAEL E. MARSHALL

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Secretary of the Senate

5 31 Approved _____, 2007

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5 35 CHESTER J. CULVER

6 1 Governor